

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION**

UNITED STATES OF AMERICA and STATE
OF TENNESSEE,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

Case No. 2:21-CV-00080-JRG-CRW

DECLARATION OF MICHAEL R. DZIUBAN

I, Michael R. Dziuban, declare as follows:

1. I am over 18 years of age. I have personal knowledge of the facts set forth in this declaration, and could and would testify competently thereto if called to do so.

2. I am an attorney with the law firm of Gibson, Dunn & Crutcher LLP, which represents Defendant Walgreen Co. (“Walgreens”) in the above-captioned action. I am licensed to practice in the District of Columbia and the Commonwealth of Virginia, and am admitted to practice *pro hac vice* before this Court in this Action.

3. The document attached hereto at **Exhibit A** is a true and accurate copy of the First Set of Requests for Production served by Walgreens on Plaintiffs on August 2, 2021.

4. The document attached hereto at **Exhibit B** is a true and accurate copy of the Second Set of Requests for Production served by Walgreens on Plaintiffs on November 3, 2021.

5. The document attached hereto at **Exhibit C** is a true and accurate copy of the Third Set of Requests for Production served by Walgreens on Plaintiffs on January 10, 2022.

6. The document attached hereto at **Exhibit D** is a true and accurate copy of the First Set of Interrogatories served by Walgreens on Plaintiff the United States on October 8, 2021.

7. The document attached hereto at **Exhibit E** is a true and accurate copy of the Second Set of Interrogatories served by Walgreens on Plaintiff the United States on January 10, 2022.

8. The document attached hereto at **Exhibit F** is a true and accurate copy of Plaintiff the United States' Responses to Walgreens' First Set of Interrogatories.

9. The document attached hereto at **Exhibit G** is a true and accurate copy of Plaintiff the United States' Responses to Walgreens' Second Set of Interrogatories.

10. The document attached hereto at **Exhibit H** is a true and accurate copy of a letter sent by Walgreens to Plaintiffs on October 13, 2021, in follow-up to a September 27, 2021 meet-and-confer.

11. The document attached hereto at **Exhibit I** is a true and accurate copy of a letter sent by Walgreens to Plaintiffs on January 4, 2022 regarding Plaintiffs' discovery deficiencies.

12. The document attached hereto at **Exhibit J** is a true and accurate copy of Plaintiffs' Responses to Walgreens' First Set of Requests for Production.

13. The document attached hereto at **Exhibit K** is a true and accurate copy of Plaintiffs' Responses to Walgreens' Second Set of Requests for Production.

14. The document attached hereto at **Exhibit L** is a true and accurate copy of Plaintiff the State of Tennessee's Responses to Walgreens' First Set of Interrogatories.

15. The document attached hereto at **Exhibit M** is a true and accurate copy of Plaintiffs' Responses to Walgreens' Third Set of Requests for Production.

16. The document attached hereto at **Exhibit N** contains a true and accurate copy of an email I received from Robert McConkey on October 15, 2021.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on May 5, 2022.



Michael R. Dziuban